

Helpful Hints for Tobacco Merchants

HOW TO AVOID PENALTIES

You should...

- only sell tobacco products to people over 18
- ID anyone who looks younger than 27
- ID before you ring up the sale
- use the register's computer system
- correctly calculate the age
- accept only valid ID

A valid ID...

- is Government issued
- has a photo, birth date, and expiration date
- has not expired

HOW TO SPOT A FAKE ID

Look for...

- misaligned photos or state seals
- misaligned or different font styles on numbers and letters
- duplicate ID
- expired ID

HOW TO CALCULATE AGE

(Birth date + 20) – 2 = date customer turns 18

For example:

Birth date as it appears on ID = February 14, 1992
Add 20 to the year = February 14, 2012
Subtract 2 from the year = February 14, 2010

This person will turn 18 on February 14, 2010.

YOUTH STRATEGIES FOR GETTING TOBACCO

Using...

- fake ID
- borrowed ID
- make-up/clothing to look older
- an adult to purchase the tobacco for them

Attempting to...

- choose stores that don't ask for ID
- act sophisticated
- "buy for a parent"
- make friends with the clerk
- buy during the busiest part of the day
- travel in groups to avoid suspicion
- flirt with the clerk
- bribe the clerk
- buy in volume

TENNESSEE TOBACCO LAWS AT-A-GLANCE

§ 39-17-1504	Sales to minors-Penalty Prohibits selling or distributing tobacco products to persons under the age of 18 or purchasing a tobacco product on behalf of a person under the age of 18. Proof of age is required if an ordinary person would conclude on the basis of appearance that a prospective buyer may be under the age of 27.										
§ 39-17-1505	Prohibited purchases or possession by minors Makes it unlawful for persons under the age of 18 to possess, purchase, or accept any tobacco product or to present false proof of age for the purpose of purchasing or receiving any tobacco product.										
§ 39-17-1506	Required postings Required wording and dimensions (no smaller than 93 ½ square inches) for signs that must be posted at retail locations.										
§ 39-17-1507	Vending machine sales Makes it unlawful for any person to sell tobacco products through a vending machine unless the vending machine is located in areas not open to the public, or to which persons under 18 are denied access, or in places where alcoholic beverages are sold, or other places where the vending machine is under the constant supervision of the owner or employee.										
§ 39-17-1508	Required packaging Makes it unlawful to sell tobacco products in anything except the original, sealed packaging.										
§ 39-17-1509	Enforcement-Inspections-Reporting-Civil penalties Describes enforcement, inspections, and reporting procedures. Also lists civil penalties for non-compliance.										
<h2>CIVIL PENALTIES</h2>											
Any person who violates Tennessee tobacco laws shall receive the following civil penalties:											
<table border="1"><thead><tr><th>Offense</th><th>Civil Penalties</th></tr></thead><tbody><tr><td>1st</td><td>Warning Letter</td></tr><tr><td>2nd</td><td>Not more than \$500</td></tr><tr><td>3rd</td><td>Not more than \$1000</td></tr><tr><td>4th</td><td>Not more than \$1500</td></tr></tbody></table>		Offense	Civil Penalties	1st	Warning Letter	2nd	Not more than \$500	3rd	Not more than \$1000	4th	Not more than \$1500
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For the purpose of determining subsequent violations, only those violations that occurred within the previous five (5) years shall be counted.											
<i>Developed by the Tennessee Department of Mental Health and Developmental Disabilities • In collaboration with the Tennessee Department of Agriculture and the Tennessee National Guard Counterdrug Task Force</i>											
  											
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